

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6721

BILL NUMBER: SB 247

DATE PREPARED: Dec 13, 2001

BILL AMENDED:

SUBJECT: Capital Sentence Procedures.

FISCAL ANALYST: Mark Goodpaster

PHONE NUMBER: 232-9852

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- (A) It provides that a female inmate under a sentence of death must be housed in a maximum security women's facility until at least 30 days before the execution date.
- (B) It provides certain criteria that allow inmates under a sentence of death to be temporarily housed at another maximum security facility.
- (C) It provides that identifying information of persons executing an inmate is confidential and that the Department of Correction may exclude a person from viewing an execution if the superintendent determines the person may compromise the safety and security of the state prison.
- (D) It changes references to the title of the head of the State Prison from warden to superintendent.

Effective Date: Upon passage.

Explanation of State Expenditures: *Provision A* - Under current law, female offenders are required to stay on death row in the Indiana State Prison. Currently, the prison houses only men. One woman is currently on death row in Indiana, although she is currently housed in a facility in Ohio. This bill would allow this offender to remain in a women's facility until 30 days prior to the execution date and allow the Department of Correction to avoid building long term facilities on death row for women offenders who are scheduled to be executed.

Provision B - Under current law, offenders who are on death row must remain in the Indiana State Prison until their execution date. Staff at the Department of Correction indicate that a construction project is planned for the death row area. This provision will allow the Department of Correction to move these offenders on death row to a maximum security facility in another prison operated by DOC until the project is completed. As of December 13, 2001, 37 offenders were housed on death row.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: Randy Koester, Legislative Liaison, Department of Correction.